

**SUSMAN GODFREY L.L.P.**

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
SUITE 3000  
401 UNION STREET  
SEATTLE, WASHINGTON 98101-3000  
(206) 516-3880  
FAX (206) 516-3883  
WWW.SUSMANGODFREY.COM

SUITE 5100  
1000 LOUISIANA STREET  
HOUSTON, TEXAS 77002-5096  
(713) 651-9366

SUITE 1400  
1900 AVENUE OF THE STARS  
LOS ANGELES, CALIFORNIA 90067-6029  
(310) 789-3100

32ND FLOOR  
1301 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10019-6023  
(212) 336-8330

ALEX AIKEN  
DIRECT DIAL (206) 505-3813

E-MAIL [AAIKEN@SUSMANGODFREY.COM](mailto:AAIKEN@SUSMANGODFREY.COM)

February 2, 2024

**Via ECF**

Hon. Sarah L. Cave  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: *Bernstein, et al. v. Cengage Learning, Inc.*, Case No. 1:19-cv-07541-ALC-SLC

Dear Magistrate Judge Cave:

Pursuant to the Court's order on January 19, 2024, Dkt. No. 293, we write with a status update on the parties' settlement negotiations. The parties continue to make significant progress in settlement discussions, but have not yet achieved a settlement-in-principle. If the parties are unable to do so next week, Plaintiffs will file a motion for approval of the form and manner of class notice by February 16, 2024.

Respectfully submitted,



Alexander W. Aiken

Cc: All counsel or record